

REMARKS

Claims 1- 10 are pending. Claims 1-10 have been amended to correct minor informalities, and no claims have been newly added. Reconsideration is respectfully requested.

Applicant wishes to thank the Examiner for his indication that Claims 3 and 7-10 are allowable if rewritten into independent form including all of the limitations of the base claim and any intervening claims.

The invention is directed to a signal code modulator as set forth in the claims.

DRAWING OBJECTION

In response to the Examiner's objection to Figure 9, element 911, Applicant submits herewith a revised Figure 9 with the revision shown in red pen. Applicant requests the approval of the Examiner for this revision.

CLAIM OBJECTIONS AND REJECTIONS

In response to the Examiner's objection to Claims 1- 10 with respect to the "SCM" term, Applicant has expanded the term (and therefore has not changed the scope of the claims or added a limitation to the claims with the amendments to the claims) and amended the claims appropriately.

In response to the Examiner's rejection of Claims 1, 2, 4-6 as containing subject matter which was not described in the specification under 35 USC 112, first paragraph, Applicant respectfully traverses the rejection. The Examiner asserts that Claim 1 is "considered as a single means since the SCM mapper does not seem to appear in combination with another recited element of means" and therefore "such claim is held nonenabling." Applicant respectfully disagrees with the Examiner's position. In particular, Claim 1 recites two elements in combination, namely an input interface element and the signal code modulation mapper circuit and therefore Claim 1 is not in fact a single means claims as asserted by the Examiner. Therefore, it is respectfully requested that the Examiner withdraw his rejection under 35 USC 112, first paragraph.

In response to the Examiner's rejection of Claims 2 and 4-6 under 35 USC 112, second paragraph, Applicant respectfully traverses the rejection. In particular, with respect to the term "said input signals space," Applicant has deleted the phrase from the claims. With respect to the term "transformed signal samples," Applicant has amended the claim to overcome this rejection. This amendment does not add a limitation into the claim or change the scope of the claim.

CONCLUSION

In view of the above arguments, it is respectfully submitted that Claims 1-10 are allowable over the prior art cited by the Examiner for the reasons set forth above and early allowance of the application is respectfully requested.

The Commissioner is hereby authorized to charge any additional fees or credit any overpayment to Deposit Account No. 07-1896. The Examiner is invited to contact Applicant's Attorney at (650) 320-7426 if there are any questions or if the Examiner feels that a telephone conference will speed the prosecution of this application.

Respectfully submitted,

GRAY CARY WARE & FREIDENRICH LLP

Dated: April 9, 2003

By T. Lohse

Timothy W. Lohse
Attorney for Applicant
Reg. No. 35,255

GRAY CARY WARE & FREIDENRICH LLP

Attn: Patent Department
1755 Embarcadero Road
Palo Alto, CA 94303
Telephone: (650) 320-7426